

State Water Resources Control Board

January 22, 2019

Bob Giragosian, General Manager
Kern Ridge Growers - 1504003
14322 Di Giorgio Road
Arvin, CA 93203

**CITATION NO. 03_12_19C_005
LEAD AND COPPER MONITORING VIOLATION
FOR FIRST 6-MONTH CYCLE IN 2018**

Dear Mr. Giragosian:

Enclosed is Citation No. 03_12_19C_005 (hereinafter "Citation"), issued to the Kern Ridge Growers (hereinafter "Water System") public water system. **Please note that there are legally enforceable deadlines associated with this Citation starting on page 3.**

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Citation. California Health and Safety Code (hereinafter "CHSC") Section 116577 provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision.

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Shawn Demmers of my staff at (559) 447-3136 or me at (559) 447-3300.

Sincerely,



Tricia A. Wathen, P.E.
Central California Section Chief
SWRCB – Division of Drinking Water

TAW/LR

Enclosures

Certified Mail No. 7016 3010 0000 0446 0860

cc: Kern County Environmental Health Department

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

Name of Public Water System: Kern Ridge Growers

Water System No: 1504003

Attention: Bob Giragosian, General Manager

14322 Di Giorgio Road

Arvin, CA 93203

Issued: January 22, 2019

CITATION FOR NONCOMPLIANCE
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64675
AND 64675.5
LEAD AND COPPER MONITORING VIOLATION
1st 6-Month Cycle in 2018

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit, or order issued or adopted thereunder.

1 The State Water Board, acting by and through its Division of Drinking Water
2 (hereinafter "Division"), and the Deputy Director for the Division, hereby issues
3 Citation No. 03_12_19C_005 (hereinafter "Citation"), pursuant to Section 116650 of
4 the CHSC to the Kern Ridge Growers (hereinafter "Water System"), for violation of
5 California Code of Regulations (hereinafter "CCR"), Title 22, Section 64675 and
6 64675.5

8 **STATEMENT OF FACTS**

9 The Water System is classified as a non-transient non-community public water
10 system with a population of 95 persons served through one (1) connection.

11
12 CCR, Title 22, Chapter 17.5 requires that public water systems maintain a
13 monitoring program for lead and copper levels at the consumers' tap. The minimum
14 number of tap sample sites required for the public water system is based on the
15 population served and whether the public water system is on an initial, a standard or
16 a reduced monitoring schedule. The 6-month monitoring schedule for the Water
17 System was five (5) lead and copper samples due in the 1st 6-Month Cycle in 2018.
18 The State Water Board has not received the analytical results to show that the 1st 6-
19 Month Cycle in 2018 lead and copper monitoring was conducted.

20
21 The Lead and Copper Rule Reporting Form must also be completed and submitted
22 to the State Water Board no later than the 10th day of the month after the end of
23 each period during which such sampling or monitoring was conducted. A summary
24 of the Water System monitoring results on file with the State Water Board is
25 attached.

DETERMINATION

The Water System was required to collect a minimum of five (5) lead and copper samples during the 1st 6-Month Cycle in 2018. The Water System failed to collect the required number of lead and copper analytical samples for 1st 6-Month Cycle in 2018. Therefore, the State Water Board has determined that the Water System has failed to comply with CCR, Title 22, Section 64675 during 1st 6-Month Cycle in 2018.

DIRECTIVES

The Water System is hereby directed to take the following actions:

1. The Water System must ensure that its lead and copper monitoring program is maintained in accordance with the Lead and Copper Rule (CCR, Title 22, Sections 64670 through 64690.80) and that the analytical results are reported to the State Water Board.
2. By **July 1, 2019**, notify all persons served by the Water System of the violation of CCR, Title 22, Section 64675, in conformance with Sections 64463.4 and 64465. Section 64463.7 allows the Water System to utilize the 2018 Consumer Confidence Report to meet the requirement of notification within a one-year period. In addition to the required information for the Consumer Confidence Report, the Water System must include the following language in the Consumer Confidence Report: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During the 1st 6-Month Cycle in 2018 (from January 1 to June 30, 2018) we did not complete all monitoring for lead and copper and therefore, cannot be sure of the quality of your drinking water during that time".

3. Complete Appendix 1: Compliance Certification Form. Submit it together with a copy of the public notification required by Directive 2 to the State Water Board on or before **July 10, 2019**.

4. The Water System must collect their next five (5) lead and copper samples during the 1st 6-month cycle in 2019 no later than **June 30, 2019**. Appendix 2: Lead and Copper Rule Reporting Form shall be used to submit the results of this monitoring to the State Water Board. by the 10th day of the month after the end of the period during which such sampling or monitoring was conducted.

All submittals, required by this Citation, unless otherwise specified in the directives above, must be electronically submitted to the State Water Board at the following address. The subject line for all electronic submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted.

Tricia A. Wathen, P.E., Central California Section Chief
State Water Resources Control Board
Division of Drinking Water, Visalia District
265 W. Bullard Ave, Suite 101
Fresno, CA 93704

Dwpdist12@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

1 Nothing in this Citation relieves the Water System of its obligation to meet the
2 requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4,
3 commencing with Section 116270, or any regulation, standard, permit or order
4 issued or adopted thereunder.
5

6 **PARTIES BOUND**

7 This Citation shall apply to and be binding upon the Water System, its owners,
8 shareholders, officers, directors, agents, employees, contractors, successors, and
9 assignees.

10 **SEVERABILITY**

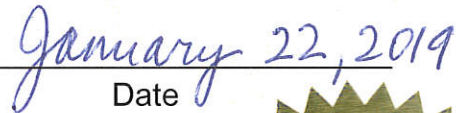
11 The directives of this Citation are severable, and the Water System shall comply with
12 each and every provision thereof notwithstanding the effectiveness of any provision.
13
14

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.



Tricia Wathen, P.E.
Central California Section Chief



Date

Appendices:

1. Compliance Certification Form
2. Lead and Copper Reporting Form
3. Lead and Copper Monitoring Results Summary



Certified Mail No. 7016 3010 0000 0446 0860

APPENDIX 1. COMPLIANCE CERTIFICATION

Citation Number: 03_12_19C_005

Name of Water System: Kern Ridge Growers

System Number: 1504003

Certification

I certify that the users of the water supplied by this water system were notified of the lead and copper monitoring violation of California Code of Regulations, Title 22, Section 64675 for the compliance period of 1st 6-Month Cycle in 2018 and the required actions listed below were completed.

Required Action	Date Completed
<i>Include monitoring violation in Consumer Confidence Report for 2018</i>	
<i>Lead and Copper tap sampling conducted</i>	
<i>Complete and Submit Lead and Copper Reporting Form</i>	

Signature of Water System Representative

Date

Attach a copy of the public notice distributed to the water system's customers with a copy of the Lead and Copper Reporting Form.

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,
DIVISION OF DRINKING WATER, NO LATER THAN July 10, 2019**

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.



State Water Resources Control Board

Division of Drinking Water

Lead and Copper Tap Sample Results Reporting Form

This form must be submitted by the public water system to the regulating entity (DDW District Office or County Agency) for each round of lead and copper sampling

Report Date: (mm/dd/yyyy)	
Water System Name:	
Water System Number:	
Water System Type:	<input type="radio"/> Community <input type="radio"/> Non-Transient, Non Community
Monitoring Frequency:	<input type="radio"/> 6-month <input type="radio"/> Annual <input type="radio"/> Triennial
# of Samples Required:	
# of Samples Reported:	
	90th Percentile Level (mg/L)
Lead: <i>Action Level = 0.015 mg/L</i>	
Copper: <i>Action Level = 1.3 mg/L</i>	

	Sample Date	Sample Site Location/Address	Tier 1, 2, 3, or R	Result	
				Lead (mg/L)	Copper (mg/L)
01					
02					
03					
04					
05					
06					
07					
08					
09					
10					
11					
12					
13					
14					
15					
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Division of Drinking Water
Lead and Copper Tap Sample Results Reporting Form

Sampling Site Change

Each round of sampling should be conducted at the same sampling sites. If an original sampling site is not available, you should collect a tap sample from another site meeting the same Tier criteria as the original site.

You must complete/submit the **Lead and Copper Tap Sampling Site Change** form.

Notification of Results

As required by *40 Code of Federal Regulations Section 141.85(d)*, within 30 days of learning of the tap monitoring results, I notified the participants, by mailing or by another method approved by the State, of the lead sample results from their individual taps, provided an explanation of the health effects of lead, listed steps the consumer could take to reduce exposure to lead, provided contact information for the water utility, the maximum contaminant level goal for lead, action level for lead, and any definitions.

Notification was done on _____ by _____
(date)

☐ Direct Mail
☐ Posting in public area (NTNC systems only)
☐ Other (please specify below) _____

For general information on lead and copper tap sampling, you can refer to the **SWRCB Lead and Copper Tap Sample Results Guidance Document**. If you have any questions or comments, please contact your regulating entity (Division of Drinking Water District or County Agency).

SIGNATURE:	DATE:
NAME (Print):	TITLE:

Individual System Lead and Copper Rule Tracking Report

1504003 Kern Ridge Growers Pop: 95 Eng: SH Lead Action Level: 0.015 mg/L Copper Action Level: 1.3 mg/L

Sample Date Begin/(End)	Monitoring Period	Sample Set ID	Number Required	Number Sampled	Lead 90th % (mg/L)	Copper 90th % (mg/L)	Action Taken	Action Type	Next Due Date	Next Due Freq	Comments
6/30/2018 ()	6M1ST-2018		5	0					12/31/2018	6-month	1st 6-month monitoring missed. Monitoring violation, citation to be issued.
(8/30/2018)	6M2ND-2018	1st 6	5	5	0.0021	0.095			6/30/2019	2nd 6	Received the new reporting form and participants were notified.

Legend:

Cit: Citation 1st 6: 1st initial 6-mo. round of monitoring A1: 1st Annual monitoring T1: 1st Triennial (3 yr) monitoring
EL: Enforcement letter 2nd 6: 2nd initial 6-mo. round of monitoring A2: 2nd Annual monitoring T2: 2nd Triennial (3 yr) monitoring
1/22/2019 T3: 3rd Triennial (3 yr) monitoring